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United States Department of Labor

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 SETH D. HARRIS, Acting Secretary of) Case No.: 1:13-cv-01802-NJV
12 Labor, United States Department of)
13 Labor,) Hon. Nandor J. Vadas
14 Plaintiff,)
15 v.)
16 MAINSTAY BUSINESS) **STIPULATION FOR ENTRY OF**
17 SOLUTIONS, a federally-authorized) **ORDER GRANTING WRIT OF**
18 division of Blue Lake Rancheria) **GARNISHMENT AND ORDER OF**
19 Economic Development Corporation,) **DISPOSITION**
20 BLUE LAKE RANCHERIA)
ECONOMIC DEVELOPMENT)
CORPORATION, BLUE LAKE)
RANCHERIA, a federally-recognized)
Indian Tribe, and ERIC RAMOS, an)
individual,)
Defendants.)
)

22 Plaintiff, SETH D. HARRIS, Acting Secretary of Labor, United States
23 Department of Labor (the “Secretary”) and Defendant MAINSTAY BUSINESS
24 SOLUTIONS (“Mainstay”), pursuant to the Federal Debt Collection Procedures
25 Act of 1990, 28 U.S.C. 3205, enter into this Stipulation for Entry of Order

1 Granting Writ of Garnishment and Order of Disposition under 28 U.S.C. §
2 3205(c)(7) with reference to the following facts:

RECITALS

5 A. Defendant Mainstay is indebted to the United States Department of
6 Labor due to failure to pay wages to employees pursuant to the Fair Labor
7 Standards Act of 1938, as amended. The back wages due were reduced to a
8 judgment by this Court on May 30, 2013, in the amount of \$57,088.53. The
9 current balance sought through garnishment on this obligation is \$30,000.00,
10 consisting totally of principal.

11 B. The Secretary has demanded payment of the amount due from
12 Defendant Mainstay.

13 C. Defendant Mainstay acknowledges its right to request a hearing on a
14 writ of garnishment under 28 U.S.C. § 3202(b), to object to any answer filed by the
15 garnishee, and to claim exemptions, and agrees to waive those rights for the
16 purpose of this stipulation.

17 D. Garnishee Bank of the West has possession of property in which the
18 Defendant Mainstay has a substantial nonexempt interest.

19 E. Garnishee's name and address is:

20 Bank of the West
21 295 Bush Street
 San Francisco, California 94104

STIPULATION

Based on the foregoing, the Secretary and Defendant Mainstay STIPULATE and AGREE that:

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5. The order approving this stipulation shall also serve as an order of disposition under 28 U.S.C. § 3205(c)(7) directing the garnishee to pay the garnished sums to the Secretary of Labor.

SO STIPULATED

Defendant Mainstay Business Solutions
hereby stipulates on this 5th day of
June, 2013.

Dated: June 6, 2013

M. PATRICIA SMITH
Solicitor of Labor

JANET M. HEROLD
Regional Solicitor

FOR MAINSTAY BUSINESS
SOLUTIONS:

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